

**ORIGINAL**

**OFFICIAL FILE**

**ILLINOIS COMMERCE COMMISSION**

ILLINOIS COMMERCE COMMISSION  
STATE OF ILLINOIS

2002 OCT -7 A 11: 16

COTTONWOOD FARM, INC. )  
(an Illinois Corporation), )  
Petitioner, )  
vs. )  
EXELON CORPORATION, and )  
COM ED. (a division of Exelon )  
Corporation formerly known as )  
Commonwealth Edison Company) )  
Respondents. )

CHIEF CLERK'S OFFICE

Case No.

02-0662

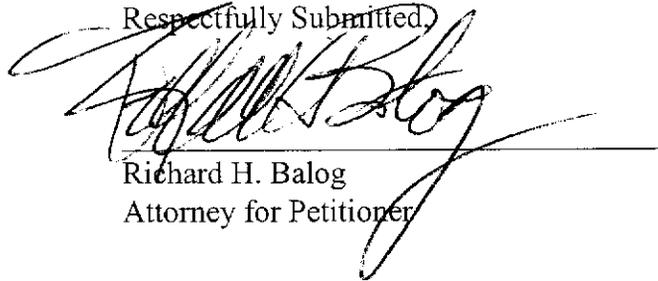
COMPLAINT

NOW COMES, the Petitioner, COTTONWOOD FARM, INC., (an Illinois Corporation), by it's Attorney Richard H. Balog, for it's Complaint against EXELON CORPORATION and COM ED, formerly known as Commonwealth Edison, pursuant to 220 ILCS 5/9-252, 220 ILCS 5/9-252.1, and 220 ILCS 5/9-253, and in support thereof states as follows:

1. That the Petitioner is an Illinois Corporation duly licensed to do business in the State of Illinois, and has for all relevant times has been a customer of Commonwealth Edison n/k/a COM ED, and further known as EXELON.
2. That from May 1990 through just prior to the filing of this complaint, the Respondents have over charged the Petitioner for electric service in the Village of Big Rock, Kane County, Illinois.
3. That the Respondents have erroneously billed your Petitioner in the amount of Eighteen Thousand Three Hundred Fifty Two and 10/100 (\$18,352.10); that your Petitioner has paid these excessive and unjust charges to the Respondents.
4. That these charges relate to meter number 997934674; that the aforementioned meter was located on property that was not owned by the Petitioner, nor did the Petitioner receive any electrical services from the electricity that was measured by this meter.
5. That the incorrect billings and payments were discovered on or about March, 2002.
6. That a copulation of the illegal billings and payments to the Respondents are attached hereto and made a part hereof and marked as Exhibit "A".
7. That the Petitioner is entitled to it's reasonable attorneys fees and interest as provided by statute and for such other and further relief as in the premises this Tribunal shall deem meet and just.

WHEREFORE, the Petitioner, Cottonwood Farm, Inc., prays that this Tribunal enter an Order requiring the Respondents to refund the overcharged sums, with interest, from the date of the overpayment, it's attorneys fees, and for such other and further relief as in the premises this Tribunal shall deem meet and just.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Richard H. Balog", written over a horizontal line. The signature is fluid and cursive.

Richard H. Balog  
Attorney for Petitioner

RICHARD H. BALOG, 104345  
Attorney At Law  
111 East Side Dr.  
Geneva, IL 60134  
630-208-6868

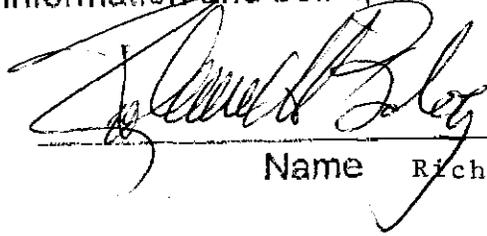
# VERIFICATION

I, Richard H. Balog, first being duly  
(Name)

sworn upon oath depose and say that I am Attorney  
(Title)

of Cottonwood Farm, Inc., a Corporation formed  
(Type of Entity)

under the laws of the state of Illinois; that I have read the above and foregoing petition by me subscribed and know the contents thereof; that said contents are true in substance and in fact, except as to those matters stated upon information and belief, and as to those, I believe same to be true.



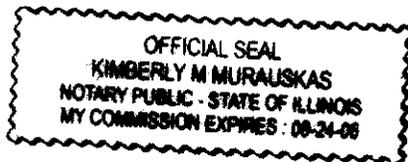
Name Richard H. Balog

Attorney

Title

Subscribed and sworn to before me  
this 3rd day of October,  
2002.

  
Notary Public, Illinois



ILLINOIS COMMERCE COMMISSION  
STATE OF ILLINOIS

COTTONWOOD FARM INC. )  
(an Illinois Corporation), )  
                                  ) Petitioner, )  
vs. )  
                                  ) )  
EXELON CORPORATION, and )  
COM ED. (A division of Exelon )  
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Commonwealth Edison Company )  
                                  ) Respondent. )

Case No.:

TO: Illinois Commerce Commission  
527 E. Capital Ave.  
Springfield, IL 62701

Illinois Commerce Commission  
Public Utilities Law Division  
160 N. LaSalle St. Ste. C-800  
Chicago, IL 60601-3104

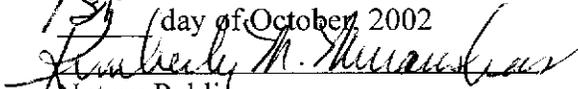
Ms. Felicia Franco-Feinberg  
Exelon Corporation  
10 S. Dearborn  
Chicago, IL 60680

**PROOF OF SERVICE**

The undersigned certifies that a the foregoing Complaint was served upon the Illinois Commerce Commission and attorney for Exelon Corporation to the above cause by enclosing the same in an envelope and addressed to such Attorney at his last known business address, with postage fully prepaid and by depositing said envelope in a United States Post Office Mail Box in Geneva, Illinois on the 5<sup>th</sup> day of October, 2002.



Signed and Sworn to before me this  
5<sup>th</sup> day of October, 2002

  
Notary Public

RICHARD H. BALOG, 104345  
111 East Side Dr.  
Geneva, IL 60134  
(630) 208-6868